

MINUTE ENTRY PROCEEDINGS: CIVIL JURY TRIAL - Day 2

Attorney Danilo Aguilar was present with Plaintiff Sandeep Rai. Attorney G. Anthony Long was present on behalf of Hong Kong Entertainment, et al. Also present at Defense table was Mr. Phil Sutton. Eight jurors were present.

Defense continued CX of witness Rai. Ex. M. Defense moved to admit Ex. M into evidence; there being no objection, Court so ordered. Ex. L. Defense moved to admit Ex. L into evidence; there being no objection, Court so ordered. Ex. K. Defense moved to admit Ex. K into evidence; there being no objection, Court so ordered. RDX.

Court recessed for morning break at 9:55 a.m. and reconvened at 10:15 a.m.

Attorney Aguilar continued with the RDX of witness Rai. RCX. RDX.

Plaintiff called witness:

SUK DAMANG LAMA. (Prior Security Guard at Tinian Dynasty). DX. CX.

Plaintiff called witness:

DHAN GURUNG. (Prior Security Guard at Tinian Dynasty). DX.

Plaintiff called witness:

FRANK S. PEREZ. (Security Guard of Tinian Dynasty). DX. Ex. 42. Plaintiff moved to admit Ex. 42 into evidence; Defense objected. (Certain parts of the exhibit were obliterated.) Now being no objection, Court moved Ex. 42 into evidence.

Court recessed for lunch at 11:42 and reconvened at 1:40 p.m.

Defense began CX of witness Perez. RDX.

Plaintiff called witness:

HIRA PRADHAM. (Employee of Tinian Dynasty). DX. CX.

Plaintiff called witness:

RONANDO PASCUA. (Former employee of Tinian Dynasty). DX.

Plaintiff rested their case at 2:33 p.m. Jurors were excused for afternoon break and left the Courtroom.

Defense moved for a Rule 50, Judgment of Acquittal as a matter of law. Plaintiff argued against the motion. Court denied the motion. Defense moved for Judgment of a Matter of Law as to the Statute of Limitations on willful disregard of Hong Kong Entertainment as to FLSA. Attorney Aguilar argued on behalf of the Plaintiff stating that the jury should be able to decide the issue of "willfulness". Court denied the motion.

Court recessed at 2:55 p.m. and reconvened at 3:15 p.m.

Defense called witness:

PHIL SUTTON (Tinian Dynasty Casino). DX. CX.

Defense rested at 3:30 p.m.

Court excused the jurors for the evening at 3:30 p.m. and jurors were admonished not to talk with anyone regarding the case. Jurors were ordered to return to the Court at 9:00 a.m. to continue with the trial.

Defense again moved for a Rule 50, Judgment of Acquittal. Court, without hearing argument from Plaintiff, DENIED the motion.

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Applies to: PTF Sandeep Rai [KLL EOD 04/24/2003]